

COUNCIL MEMBERS:

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
<i>Vice Mayor</i>			<i>Mayor</i>			



**AGENDA**  
 Meeting of the Twin Falls City Council  
**September 4, 2012, Tuesday**  
 City Council Chambers  
 305 3rd Avenue East - Twin Falls, Idaho

**5:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG  
 CONFIRMATION OF QUORUM  
 INTRODUCTION OF STAFF  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:  
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for August 29, 2012 – September 4, 2012. 2. Consideration of the August 27, 2012, City Council Minutes. 3. Consideration of a request to sign an Improvement Agreement for Developments for WS&V Subdivision.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan Leila Sanchez Troy Vitek
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Presentation by Jim O'Donnell, Air Show Director, regarding the 2012 Air Magic Valley Air Show. 2. Consideration of a request to award the Block 132, Twin Falls Townsite Utility Improvements Package to Walton Inc. 3. Discussion regarding the status of various amendments to Title 10 of the City Code. 4. Public input and/or items from the City Manager and City Council.	Presentation  Action  Discussion	Bill Carberry/ Jim O'Donnell Troy Vitek  Mitch Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>           6:00 - None</b>		
<b>V. <u>ADJOURNMENT:</u></b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

### Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
  2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
  3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
    - A complete explanation and description of the request.
    - Why the request is being made.
    - Location of the Property.
    - Impacts on the surrounding properties and efforts to mitigate those impacts.Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
  4. A City Staff Report shall summarize the application and history of the request.
    - The City Council may ask questions of staff or the applicant pertaining to the request.
  5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
    - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
    - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
    - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
  6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
  7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- \* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

**COUNCIL MEMBERS:**

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
<i>Vice Mayor</i>			<i>Mayor</i>			



**MINUTES**  
 Meeting of the Twin Falls City Council  
**August 27, 2012**  
 City Council Chambers  
 305 3<sup>rd</sup> Avenue East - Twin Falls, Idaho

**5:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG  
 CONFIRMATION OF QUORUM  
 INTRODUCTION OF STAFF  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:  
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
<b>I. CONSENT CALENDAR:</b> 1. Consideration of a request to approve the accounts payable for August 21 – 27, 2012. 2. Consideration of a request to approve the August 20, 2012, City Council Minutes. 3. Consideration of a request to approve the fifth annual "The Cove Camp Out" in remembrance of Charlotte Meyers to be held on Saturday, September 8, 2012. 4. Consideration of a request to approve the Wings and Things Ultimate Fundraiser, sponsored by the Twin Falls Optimist Club, on Saturday, September 8, 2012 from 12:00 p.m. to 4:00 p.m.	<u>Action</u>	Staff Report Sharon Bryan Leila Sanchez Dennis Pullin  Dennis Pullin
<b>II. ITEMS FOR CONSIDERATION:</b> 1. Consideration of a request from The Housing Company for pass-through funding support of their proposed housing project located on 5± acres on the west side of Fieldstream Way, approximately 425 feet north of North College Dr. West. 2. Consideration of a request to approve the Trina Robbins Fundraiser to be held at the Twin Falls City Park on Friday, September 7, 2012, from 5:30 p.m. to 9:30 p.m. 3. Consideration of a request to award a bid to replace the clubhouse roof at the Twin Falls Golf Club to Lewis Roofing in the amount of \$33,740. 4. Consideration of a request to amend Twin Falls City Code Sections 3-4-3, Qualifications and 3-4-5(C), Records, regarding pawnshops, brokers and secondhand dealers. 5. Consideration of a request to accept the Department of Transportation Small Community Air Service Grant Offer in the amount of \$500,000. 6. Consideration of a request to reject all bids for the Airport Snow Removal Equipment Building and re-bid the project. 7. Consideration of a request to accept the Grant Offer from the FAA for the Construction of an Airport Snow Removal Equipment Building and the Development of a Wildlife Hazard Management Plan. 8. Consideration of a request to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481. 9. Consideration of a request to review and affirm the decision to award the 2012 Hankins Pump Station Generator and Pump Project to Irminger Construction Inc. 10. Public input and/or items from the City Manager and City Council.	Action	Travis Rothweiler  Dennis Pullin  Dennis Bowyer  Bryan Krear  Bill Carberry  Bill Carberry  Bill Carberry  Lee Glaesemann  Lee Glaesemann
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
<b>IV. PUBLIC HEARINGS:</b> 6:00 - None		
<b>V. ADJOURNMENT:</b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Present: Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Chris Talkington  
Absent: Shawn Barigar, Rebecca Mills Sojka

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, City Engineer Jacqueline Fields, Project Engineer Lee Glaesemann, Staff Sergeant Dennis Pullin, Captain Bryan Krear, Airport Manager Bill Carberry, Assistant to the City Manager Mike Williams, Public Information Officer Josh Palmer, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Lanting called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum is present. Mayor Lanting introduced staff

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.**  
**PROCLAMATIONS: None**

### AGENDA ITEMS

#### I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for August 21 – 27, 2012.
2. Consideration of a request to approve the August 20, 2012, City Council Minutes.
3. Consideration of a request to approve the fifth annual "The Cove Camp Out" in remembrance of Charlotte Meyers to be held on Saturday, September 8, 2012.
4. Consideration of a request to approve the Wings and Things Ultimate Fundraiser, sponsored by the Twin Falls Optimist Club, on Saturday, September 8, 2012 from 12:00 p.m. to 4:00 p.m.

#### **MOTION:**

Vice Mayor Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

#### II. ITEMS FOR CONSIDERATION:

1. Consideration of a request from The Housing Company for pass-through funding support of their proposed housing project located on 5± acres on the west side of Fieldstream Way, approximately 425 feet north of North College Dr. West.

City Manager Rothweiler explained the request.

If the Council decides to approve the request and support The Housing Company on their application for low-income housing tax credits by providing pass through funding as described above, then staff recommends that the Council approve the request subject to completion of amendments to the master development plan and development requirements in the WS&V PUD necessary to accommodate the proposed housing development. Approval of the request for funding support does not indicate support for the upcoming PUD amendment and does not in any way obligate the Council to approve that amendment.

Council discussion followed.

City Manager Rothweiler clarified that The Housing Company receives additional points on a point system for the low income tax credits and if they could receive 5% financial support from the local government unit they receive additional points. It is also a requirement for the Housing Company in order to move forward and submit their application.

He stated he could not answer whether this would be a disadvantage to other private entities from making similar types of investments. This is the first time he has been involved or approached with this type of transaction and learned of a section of Idaho Code expressly authorizing these types of moves.

Kathryn Almberg, The Housing Company, explained the tax credit project. The Carriage Lane tax credit project is obligated under the IRS Code Section to be 40 years in the affordability program for the low income tax credit. The Housing Company is obligated for 40 years for affordability and that is a deed restriction and also in the regulatory agreement that is executed with the Internal Revenue Service whom the program is under.

Councilperson Talkington asked why the City is lending its name for a project that cannot be conducted strictly between the seller and The Idaho Housing Company and who receives the financial gain.

Doug Vollmer said a private sector cannot do this because the rules state that a government entity must provide those funds. The funds are at 5% and will be transferred through escrow to the City and then transferred to The Housing Company.

City Manager Rothweiler stated the 5% is the estimated overall project cost. There is a land transaction and the construction costs and what needs to be part of the local match is 5% of the total of those costs which equal \$435,000. It is understood that a buy/seller agreement will occur between The Housing Company and WS&V; then 5% of those costs, upon closing, will be transferred to the City and the City would make the donation of that \$435,000. The City is serving as a pass through entity.

Kathryn Almberg stated that the project sponsor receives the tax credits, which is The Housing Company, and this allows them to sell them to an investor to have equity come into the project to build it. Idaho Housing and Finance Association administers all of the housing programs for the state of Idaho. In the tax credit program, they have a qualified allocation plan. Part of the allocation plan is an objective scoring mechanism that every sponsor puts in with their applications each year in September and February. The tax credits are awarded on a complete scoring system. For clarification, the tax credit program is commonly known now as a workforce housing. She stated that she has not received the market study, but it is due by the end of the week. A market study is a requirement by the allocating agency that every project that submits an application has to have a market study that proves need. The preliminary marketing studies showed that there is in a range of about 150 units that were needed in that market in that income category.

**MOTION:**

Vice Mayor Hall made a motion to approve a request from The Housing Company for pass-through funding support of their proposed housing project located on 5± acres on the west side of Fieldstream Way, approximately 425 feet north of North College Dr. West, subject to completion of amendments to the master development plan and development requirements in the WS&V PUD necessary to accommodate the proposed housing development. Approval of the request for funding support does not indicate support for the upcoming PUD amendment and does not in any way obligate the Council to approve that amendment. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

2. Consideration of a request to approve the Trina Robbins Fundraiser to be held at the Twin Falls City Park on Friday, September 7, 2012, from 5:30 p.m. to 9:30 p.m.

Staff Sergeant Pullin explained the request.

Staff recommends that the City Council approve the event.

The Twin Falls Police Department recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified music. If there are noise complaints, disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall terminate the event.

**MOTION:**

Councilperson Munn made the motion to approve the Trina Robbins Fundraiser to be held at the Twin Falls City Park on Friday, September 7, 2012, from 5:30 p.m. to 9:30 p.m., as presented by staff. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

3. Consideration of a request to award a bid to replace the clubhouse roof at the Twin Falls Golf Club to Lewis Roofing in the amount of \$33,740.

Parks & Recreation Director Bowyer explained the request.

There are no funds in the budget for this project. Staff recommends funding this project out of the contingency account. Staff did not budget for this project as an inspection after staff prepared the budget indicated a new roof was needed and staff wanted to rectify the problem before the winter season.

Staff recommends that the Council award the bid to replace the roof at the Twin Falls Golf Club clubhouse to Lewis Roofing in the amount of \$33,740

Council discussion followed.

City Manager Rothweiler stated that the cost of the project would come out of the capital budget if the funds are available. If additional funds are needed the funds would come out of the contingency fund.

Parks & Recreation Director Bowyer stated that EHM Engineering charged \$3,200, for engineering services.

**MOTION:**

Councilperson Hawkins made the motion to award the bid to replace the clubhouse roof at the Twin Falls Golf Club to Lewis Roofing in the amount of \$33,740, and take it out of capital expense if it is available and if not out of contingency to get the roof replaced at the clubhouse. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

4. Consideration of a request to amend Twin Falls City Code Sections 3-4-3, Qualifications and 3-4-5(C), Records, regarding pawnshops, brokers and secondhand dealers.

Captain Bryan Krear explained the request.

The proposed amendment to City Code Section 3-4-3 will update this section to follow best practices and to reflect our current practice of fingerprinting and conducting background investigations on both pawnbroker's license applicants and the applicant's employee in order to ensure they meet qualifications requirements, and to bring City Code 3-4-5( C) up-to-date and to reflect current practices, to allow for the reporting of pawn transactions to LeadsOnline.com within 24 hours of receipt instead of delivering their reports to the Police Department on a weekly basis.

Council discussion followed.

**MOTION:**

Vice Mayor Hall made a motion to suspend the rules and place Ordinance 3036, entitled:  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §3-4-3, TO REQUIRE MINIMUM QUALIFICATIONS FOR APPLICANTS AND EMPLOYEES, AND AMENDING TWIN FALLS CITY CODE §3-4-5(C), TO REQUIRE "LeadsOnline.com" REPORTING OF PROPERTY.

on third and final reading by title only.

The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

Deputy City Clerk Sanchez read the ordinance title.

**MOTION:**

Vice Mayor Hall made the motion to adopt Ordinance 3036, as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

5. Consideration of a request to accept the Department of Transportation Small Community Air Service Grant Offer in the amount of \$500,000.

Airport Manager Carberry explained the request.

Staff recommends the City Council accept the grant offer and authorize the Mayor to sign the agreement.

Council discussion followed.

Airport Manager Carberry stated that it is a goal to have an additional flight in the morning, perhaps an upgrade to a regional jet in the morning that may increase from 30 seats to 50 seats for capacity, as well as more capacity for the overnight flight.

**MOTION:**

Councilperson Munn made the motion to accept the Department of Transportation Small Community Air Service Grant Offer in the amount of \$500,000, and authorize the Mayor to sign the FAA Grant Award Offer. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion.

Airport Manager Carberry stated pricing is market driven and one that is managed very closely by the airlines. He stated that he would not associate any guarantees with pricing.

Approved 5 to 0.

6. Consideration of a request to reject all bids for the Airport Snow Removal Equipment Building and re-bid the project.

Airport Manager Carberry explained the request.

Staff recommends the City Council reject all bids for the construction of the airport snow removal equipment bldg and re-bid the project.

Council discussion followed.

Airport Manager Carberry stated that discussion was made with the architect to put systems in to save future operational costs, such as LED lighting and the ground source heating. The primary function of the building is for storage of snow equipment, but will also have a mechanical area (shop), small personnel area with some offices for a training lunch room, restrooms, and some tools and parts storage. He will discuss with the architect the possibility of having LED lighting in the office areas.

**MOTION:**

Councilperson Munn made the motion to approve to reject all bids for the Airport Snow Removal Equipment Building and re-bid the project. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

7. Consideration of a request to accept the Grant Offer from the FAA for the Construction of an Airport Snow Removal Equipment Building and the Development of a Wildlife Hazard Management Plan.

Airport Manager Carberry explained the request.

Staff recommends the City Council accept the grant offer in the amount of \$1,658,262 and authorize the Mayor to sign the award. This is coupled with the 6.25% match budgeted in the airport construction fund which is equally funded by the City and County.

**MOTION:**

Councilperson Talkington made the motion to accept the grant offer in the amount of \$1,658,262, from the FAA for the Construction of an Airport Snow Removal Equipment Building and the Development of a Wildlife Hazard Management Plan, and authorize the Mayor to sign the award. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

8. Consideration of a request to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481.

Project Engineer Glaesemann explained the request.

Staff recommends that the City Council reject the Hills Construction Bid due to their Mobilization price exceeding what the contract documents allow and not submitting "evidence of authority" with the bid as required.

Staff recommends that the City Council award the 2012 Hankins Pumps Station Generator and Pump Project to Irminger Construction Inc., in the amount of \$568,481.

Council discussion followed.

City Manager Rothweiler stated that the timing aspect is important. The pumps are about 200 to 240 day bid schedule. To go through a rebid process there would be a delay in project by somewhere between 6 to 8 weeks. The City's timeline would not be met which is associated with the Chobani projects that have been set forward in the agreements. This part of the project is funded by the ICDBG process and the City wants to move forward expeditiously.

City Attorney Wonderlich stated that if the project is awarded to the low bidder the high bidder has a valid complaint because the low bidder is non conforming and vice versa. In this case as it has been explained the City does not have time to rebid the project. Staff is recommending this as the least bad option.

**MOTION:**

Councilperson Munn made the motion to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

9. Consideration of a request to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481.

Project Engineer Glaesemann explained the request.

Staff recommends that the City Council affirm its prior award of the 2012 Hankins Pump Station Generator and Pump Project to Irminger Construction Inc., due to Hills Construction Inc.'s Mobilization price exceeding contract allowance and lack of sufficient "Evidence of Authority" submitted with their bid as was required.

6:04 P.M. Councilperson Munn left his seat for a previously scheduled appointment.

Council discussion followed.

**MOTION:**

Councilperson Talkington made the motion affirm the decision to award the 2012 Hankins Pump Station Generator and Pump Project to other than the low bidder based upon the applied evidence and to award the bid to Irminger Construction, Inc. , due to mobilization price exceeding what the contract documents allow and not submitting "evidence of authority" with the bid as required. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 4 to 0.

10. Public input and/or items from the City Manager and City Council.

City Manager Rothweiler stated that the City Council Strategic Planning Retreat will be held on September 7 and 8, 2012. He also reported on the sales of the downtown parking meters.

**III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:**

**IV. PUBLIC HEARINGS: 6:00 - None**

**V. ADJOURNMENT: The meeting adjourned at 6:18 P.M.**

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary



**Date:** Tuesday, September 4, 2012  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, PE Assistant City Engineer

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**Request:**

Consideration of a request to sign an Improvement Agreement for Developments for WS&V Subdivision.

**Time Estimate:**

The staff presentation will take approximately 2 minutes.

**Background:**

WS&V Subdivision is in the process of recording a final plat. City code 10-12-2-4(G) 8 requires execution of an improvement agreement for developers. Attached is the standard developer's agreement signed by the owner which requires Council approval and recordation.

**Approval Process:**

Approval of this request requires a simple majority (50%+1) of the City Council members present at this meeting.

**Budget Impact:**

No budget impact on the City

**Conclusion:**

Staff recommends that City Council allow the mayor to sign the Improvement Agreement for Developments.

**Attachments:**

1. Improvement Agreement for Developments

IMPROVEMENT AGREEMENT

for

DEVELOPMENTS

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and WJS & V, LLC hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development WJS & V SUBDIVISION FIRST AMENDED P.U.D.

WHEREAS, there is attached hereto and incorporated herein as if the same were set out in full, a certified copy of the deed to the real property showing ownership of said real property to be in the Developer's name, or, as the case may be, there is attached hereto and incorporated herein as if the same were set out in full, a copy of the deed to the above described real property showing ownership in fee simple in someone other than Developer together with a notarized authorization, signed by the real property owner, authorizing Developer to act on behalf of said real property owner, and;

WHEREAS, Developer desires to develop said real property for the following purposes:

R-6 Pro PUD Subdivision

WHEREAS, the Developer is obligated to construct certain improvements pursuant to City Code Section 10-12-4.2, and;

WHEREAS, the Developer has committed to construct special features as part of the development, and;

WHEREAS, the City has certain policies, ordinances, rules and regulations governing the construction of improvements, and;

WHEREAS, it is in the best interest of the City and Developer to clearly establish in one concise document the policies, ordinances, rules and regulations which apply to developments of the type contemplated herein.

WITNESSETH

That for and in consideration of the mutual promises, conditions, and covenants contained herein the parties agree as follows:

I.

City agrees: (1) to operate and maintain all approved streets, alleys, service and roads, excluding state highways, constructed under the terms of this Agreement in any public rights-of-way

or easements and which are presently within or subsequently annexed into the City limits. Those streets, excluding state highways, lying outside the City limits and within the City Area of Impact shall be constructed to City standards but shall become the responsibility of the Twin Falls Highway District until such time as they are annexed or a maintenance agreement is signed by the City and the Twin Falls Highway District. (2) To operate and maintain all approved water lines, drainage lines, and sewer lines constructed under the terms of this Agreement in any public rights-of-way or easements and to provide water and sewer service to the Developer's real property, subject to all ordinances, rules and regulations governing sewer and water service. (3) To maintain non-pressure irrigation lines only where they cross City streets. All other maintenance of non-pressurized irrigation lines is the responsibility of the Twin Falls Canal Company or the irrigation users.

## II.

In lieu of the actual installation of required public improvements before recording of the final plat, the Council may permit the subdivider to provide a financial guarantee of performance in one (1) or a combination of the following arrangements for those requirements which are over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement.

a. Surety Bond

1. Accrual - The Bond shall accrue to the City covering construction, operation and maintenance of the specific public improvement.
2. Amount - the bond shall be in an amount equal to one hundred percent (100%) of the total estimated cost for completing construction of the specific public improvements, as estimated by the Developer's Engineer and approved by the City Engineer.
3. Term Length - The term length in which the bond is in force, for the duration of that phase of the project, shall be until completed and accepted by the City Engineer.
4. Bonding for Surety Company - The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the Council.
5. The escrow agreement shall be drawn and furnished by the subdivider to the satisfaction of the Council.

b. Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.

1. Treasurer, Escrow Agent or Trust Company - A cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit such surety acceptable by the Council, shall be deposited with an escrow agent or trust company.
2. Dollar Value - The dollar value of the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be equal to one hundred percent (100%) of the estimated cost of construction for the specific public improvements, as estimated by Developer's Engineer and approved by the City Engineer.
3. Escrow Time - The escrow time for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be until all required improvements are completed and accepted by the City Engineer.
4. Progressive Payment - In the case of cash deposits or certified checks, an agreement between the City and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.

### III.

Developer agrees to retain a Professional Engineer, hereinafter called the Developer's Engineer, registered by the State of Idaho to perform the following minimum Engineering Services in accordance with Title 10 Chapter 12 Section 4-1 of the City Code:

- a. Prepare a master utility plan showing the location of all existing and proposed utility lines to include but not be limited to sewer, water, gas, electricity, telephone, irrigation, pressure irrigation and storm sewer.
- b. Prepare detailed plans and specifications for construction of all improvements required by this Agreement and shall include but not be limited to a complete set of construction plans, including profiles, cross-sections, specifications and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans which have been approved with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All

construction plans shall be prepared in accordance with the public agencies' standards and specifications.

- c. Perform construction surveying, staking, testing, inspection and administer the construction of all facilities required by this contract.
- d. Submit all test reports, inspection reports, change orders and construction diaries to the City Engineer every week during the construction of the development or subdivision.
- e. Prepare and submit an updated copy of the enclosed development and subdivision checklist to the City Engineer every week during the construction of the development or subdivision, and also upon completion of the project.
- f. Submit to the City Engineer the final plans, and master utility plan for the City records showing any approved changes to the original plans and specifications. A permanent drawing in ink on approved transparent polyester drafting film and an electronic media copy of the plans in ACAD 2000 using City standard format shall be provided within thirty (30) days after completion of the project.
- g. Submit a letter upon completion of construction stating that the work has been constructed in conformance to the plans and specifications, with the certification by the Developer's Engineer that improvements were constructed to the lines and grades shown.

The above work shall be subject to the approval of the City Engineer.

The City agrees to provide asphalt pavement testing for conformance with City standards, but it shall be the responsibility of Developer's Engineer to provide all necessary quality control during construction. All tests shall be taken at a frequency based upon City of Twin Falls Standard Specifications.

The Developer agrees to: (1) allow the City full and complete access to the work (2) provide all materials necessary to conduct all tests (3) supply all water necessary to test pipe joints and (4) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

The Developer shall submit a letter to the City Engineer upon completion of the project, requesting that the City assume the responsibility for maintenance and operation of all public improvements as stated herein.

#### IV.

The Developer agrees to obtain a permit or letter of approval from the Twin Falls Highway District or the State of Idaho Department of Highways prior to constructing improvements on their respective right-of-ways. The original or a certified copy of said permit or letter shall be submitted to the City Engineer prior to beginning of construction thereon.

V.

The Developer agrees to dedicate rights-of-way to the public for the development of all streets and alleys in accordance with the City Master Street Plan and to dedicate easements for the maintenance and operation of all public utilities. The size and location of said rights-of-way and easements shall be determined by the City Engineer.

VI.

The Developer hereby agrees and petitions the City to annex into the corporate limits of said City, the above described real property that is contiguous with the same or becomes contiguous to said City limits. Developer agrees to annexation of said real property by the City upon the terms and conditions as shall be set forth by said City.

VII.

The Developer and the City agree that the improvements listed herein are required unless specifically waived by action of the City Council and that said improvements will be constructed on any public rights-of-way or easements approved and accepted by the City Council all as designed by the Developer's Engineer and approved by the City Engineer and in accordance with standards established by the City Engineer and that all required improvements will be completed in a timely manner. If improvements are not completed in a timely manner, the Developer shall provide an updated, current version of the developer's agreement and financial guarantee for City Council consideration.

VIII.

The Developer agrees to pay the total actual costs of all materials, labor and equipment necessary to completely construct all of the improvements required herein, except those costs specifically shown to be paid by the City and to construct or contract for the construction of such improvements.

IX.

Developer agrees to pay the total extra cost of all additional materials, labor and equipment necessary to construct any streets the City requires to be wider or deeper than a standard street or any water or sewer lines the City requires to be larger than the size required to properly serve the

development. The requirement for wider and deeper streets shall be based on the City Master Street Plan. Requirements for larger water and sewer lines shall be based on the citywide sewer and water system sizing guidelines.

#### X.

The City shall provide no compensation for the cost of an oversize water or sewer line. In the case of water or sewer lines extended adjacent to or outside the limits of development, the Developer shall be eligible for payback from adjacent property owners pursuant to Resolution No. 1182. The Developer shall also be eligible for compensation when a private developer extends or connects to any water or sewer system previously installed by private developer, pursuant to Resolution 1651.

#### XI

Developer agrees to request in writing that the Developer's Engineers make the inspections required herein and the Developer or his Contractors shall not proceed with the next construction phase until the required inspection is complete and the work has been approved by the Developer's Engineer, the City Engineer or the Engineer's authorized inspector. All such inspections shall be scheduled in accordance with the City of Twin Falls Standard Specifications. Developer agrees to pay all costs resulting from: 1) his failure to properly schedule and request a required test or inspection or 2) proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials as required by the Developer's Engineer or the City Engineer. Any such defective work whether the result of poor workmanship, use of defective materials, damage through carelessness or any other cause, shall be removed within ten (10) days after written notice is given by the Developer's Engineer or the City Engineer, and the work shall be re-executed by the Contractor at his expense. The fact that either Engineer may have previously overlooked such defective work or materials shall not be a basis for acceptance of any part of it.

The issuance or approval of plans, specifications and computations shall not be construed as an approval of any violation of any provisions of City code, specifications, standards, policy, or any other ordinance of the City. Approvals of plans that may violate City code, specifications or departmental policies will not be valid.

The approval of construction plans, specifications, and other data shall not prevent the City from thereafter requiring the correction of errors or omissions in said plans or specifications prior to or during actual construction or final acceptance by the City.

The Developer shall remove from all public property all temporary structures, rubbish, and waste materials resulting from their operation or caused by his employees.

The Developer shall guarantee all materials, workmanship and equipment furnished for a period of one (1) year from the date of written acceptance of the work by the City Engineer or authorized representative.

The Developer shall be responsible for any damage to any existing public improvements and shall repair or replace any such damage as required by the City Engineer, during or after completion of this project.

## XII.

The City and the Developer agree to the following minimum for Required Improvements, City Costs, Required Inspections and to any other improvements, approved or required by the City Council and shown on the approved construction plans.

### PUBLIC WAYS

(a) Required Improvements

- (1) Curb, gutter and sidewalk on all public street rights-of-way.
- (2) A standard residential street thirty six feet (36') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course on all public street rights-of-way serving residential use property.
- (3) Minor residential and private streets as specified in the City of Twin Falls Standard Drawings.
- (4) A standard commercial or collector street forty eight feet (48') wide with an eleven inch (11") gravel course and three inch (3") asphaltic concrete surface course on all public street rights-of-way serving commercial use property or as a collector street. Whenever a street serves an industrial use property the City Engineer will determine the appropriate structural section.
- (5) A service-road twenty four feet (24') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course and with concrete curb-gutter or curb and valley-gutter on all public service road rights-of-way.
- (6) A sidewalk five feet (5') wide minimum on all public pedestrian rights-of-way. Four foot (4') sidewalks by special permission of the City Council are allowed by City of Twin Falls Standard Drawings for minor residential streets under certain conditions.

(7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A tract of land eleven feet (11') in depth behind the curb line will be dedicated as part of any residential development adjacent to arterial and collector streets. Within that tract the developer shall install landscaping six feet (6') in depth with a sprinkler system and with grass and trees behind the curb line and shall also install a five foot (5') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the water bill of each account within the development. Irrevocable restrictive covenants for this development and maintenance shall provide for this funding. TFCC §10-12-4.2(O).

(8) Street signs and traffic control devices on all public streets.

(9) Street lights as determined by City policy for street light installation.

(b) City Costs

(1) The cost of any street signs or traffic control devices installed by the City on new or existing streets.

(2) The cost of any required street lights (standard luminaires mounted on a wood pole). The Developer shall pay the extra cost of any decorative luminaries or poles. Prior approval will be required, and the cost of maintenance, replacement and power usage will be considered.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

WATER SYSTEM

(a) Required Improvements

(1) Pursuant to City Code Section 7-8-3, 7-8-10 and 10-12-4.2 water line and fittings six inch (6") minimum diameter that will transport a flow of water, which will satisfy fire, domestic, other water demands of the development, based upon the City water pipe sizing plan and computer water model. Water line extension shall include connection from the existing City Water System to each building site and fire hydrants and then loop back to the City System in a manner that will provide a properly functioning system approved by the City Engineer, Water Superintendent and Fire

Chief. If the development is to be constructed in phases, the water system shall be looped back to the City system during the first phase. No dead-end lines will be allowed during any phase of the project.

- (2) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City water distribution network in accordance with existing sizing guidelines.
- (3) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users or creating a critical situation in the suppression of fires.
- (4) Fire hydrant connections and fire hydrants spacing to substantially comply with the minimum standards suggested by the Fire Rating Bureau and American Water Works Association. Fire hydrants are required in all developments.
- (5) One water service line shall be constructed to each building site at the time the water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way.

During construction of the curb the letter W shall be stamped into the top or face of the curb directly in front of the water meter box. The impression shall be not less than one and one half inches (1½") high. Meters shall be grouped at adjacent side lot lines when possible or at another location if requested by the Developer and approved by the City Engineer and Water Superintendent. Water meter boxes will not be allowed in driveway approaches. Any cost associated in relocating meters from driveway approaches will be the responsibility of the Developer or Lot Owner. Temporary address or lot number signs shall be staked at the location where the water meter box is to be installed. The City may install multiple water meters in a single water meter box.

The City will make the water line tap only after all appropriate tap fees for a Water Connection General Permit have been received and permits issued. All new water service line and connections made from existing water service mains to service any new development will be the responsibility of the

Developer. The City will make the necessary service line tap after payment of the required water connection general permit fees.

- (6) One water service line tap, meter box, and service line shall be constructed for each building connected to the City water system. It is understood and agreed that the City will make all service line taps and install all meter boxes and that the fee paid by the developer for a Water Connection General Permit will reimburse the City for such work.
- (7) It is further understood and agreed that the City will make all connections to the existing water system. The City will disinfect the new water system at the developer's expense.

(b) City Costs

- (1) None.

(c) Required Inspections

- (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

WASTE WATER COLLECTION SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-7-4, 7-7-11 and 10-12-4.2 a waste water collection system (eight-inch (8") minimum diameter) that will transport a flow of waste water, under conditions of maximum and minimum discharge from the development, to the existing City waste water system.
- (2) Waste water sewer lines adjacent to or internal to the development will be sized to continue the orderly expansion of the City Waste Water Collection System in accordance with existing sizing guidelines and computer sewer model.
- (3) Manholes to provide access for maintenance and cleaning of the sewer lines located at any change of grade or alignment of the sewer, at the end of each sewer and spaced not more than four hundred feet (400') apart.
- (4) During construction of the curb the letter S shall be stamped into the top or face of the curb directly in front of the sewer service line location. The impression shall be not less than one and one half inches (1½") high.

(b) City Costs

- (1) None.
- (c) Required Inspections and Testing
  - (1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

#### DRAINAGE SYSTEM

- (a) Required Improvements
  - (1) Any valley-gutters, ditching, grading or other surface drainage facilities necessary to convey any storm run-off originating from or traversing across the proposed development over the land surface to a point of retention, detention or discharge approved by the City Engineer.
  - (2) Any catch basin, storm sewer and other sub-surface drainage facilities necessary to convey any storm run-off, originating from or traversing across the proposed development, to a point of retention, detention or discharge approved by the City Engineer, that cannot, in the City Engineer's opinion, be conveyed over the land surface without causing damage to public or private property or without being an unreasonable inconvenience or hazard to a private individual, a group of individuals or the general public.
- (b) City Costs
  - (1) None.
- (c) Required Inspections and Testing
  - (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

#### GRAVITY IRRIGATION SYSTEM

- (a) Required Improvements
  - (1) Any pipe, boxes or other appurtenances necessary to convey all irrigation water in underground pipe across the development and any adjacent public property. Irrigation facilities outside an established City irrigation district shall be constructed in an irrigation easement on private property except where it is necessary for irrigation water to cross the public right-of-way and all such crossings shall be perpendicular to the center line of said right-of-way unless otherwise approved by the City Engineer due to some unusual condition.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

PRESSURE IRRIGATION SYSTEM(a) Required Improvements

- (1) Pursuant to Section 7-8-3 of the City Code, the use of the City's potable water supply as the primary source of irrigation water in all new developments shall be prohibited. For purposes of this subsection, the term "new development" means any new subdivision or PUD, or any development of any parcel of land of two (2) acres or larger that is not part of a subdivision or PUD. One (1) share of Twin Falls Canal Company Water for each acre of property within the subdivision shall be deeded to the City of Twin Falls before the filing of the final plat for use in the City's pressurized irrigation system.
- (2) Pressure irrigations water line and fittings shall be four inch (4") minimum diameter or larger that will transport a flow of water, which will satisfy all irrigation water demands of the development, based upon the computer irrigation water model that the developer's engineer has prepared.
- (3) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City Pressure Irrigation water distribution network in accordance with existing sizing guidelines.
- (4) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users. One pressure irrigation water service line shall be constructed to each subdivision

lot site at the time the pressure irrigation water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way. One Pressure irrigation water service line tap, irrigation box, and service line shall be constructed for each subdivision lot connected to the City pressure irrigation water system.

- (5) The Developer shall be responsible for all costs incurred in designing and installing the pressure irrigation station. This includes the land, pumps, motors, filters, buildings, delivery system to the station from the TFCC head gate, storage pond, Supervisory Control and Data Acquisition (SCADA) system, and power to the station.
- (6) All pressure irrigation system plans must be prepared by the Developer's engineer shall be according to the City's standard specifications and drawings. Plans submitted to the City shall be signed by a Professional Engineer for review and final approval, before the City Engineer will sign the plat or approve construction plans.
- (7) The Pressure Irrigation System shall be located with in easements, right of ways and/or property deeded to the City of Twin Falls.
  - (b) City Cost.
    - (1) None
  - (c) Required Inspections and Testing
    - (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

#### SPECIAL FEATURES

Pursuant to commitments made by the Developer as conditions of approval of the development, the following special features shall be constructed:

a) Required Improvements

SUPPLY EASEMENT FOR CHEVEY DRIVE FROM ADJACENT PROPERTY OWNERS TO NORTH OF SUBD PRIOR TO RELEASING ADJACENT LOTS TO CHEVEY FROM ESCROW OR BE SUBJECT TO ADDITIONAL DEDICATION OF RIGHT OF WAY.

b) City Costs

- (1) None.

## XIII.

The City and the Developer agree that the sequence of construction shall be as follows unless special approval in writing is obtained from the City Engineer:

1. Erosion and sedimentation controls.
2. Stormwater retention and detention facilities.
3. Waste water sewers and service connections.
4. Waste water manholes.
5. Storm sewers and catch basins.
6. Gravity irrigation pipes and boxes.
7. Pressure irrigation lines, service connections, etc.
8. Water lines and service connections.
9. Gas lines, power lines, telephone lines and cablevision lines.
10. Any other underground improvements that are required.
11. Sub-base preparation for public ways.
12. Gravel base course for public ways.
13. Curb-gutter, valley-gutter and sidewalk.
14. Gravel leveling course.
15. Asphalt paving.
16. Special Features.

## XIV.

The Development may be phased as indicated on the attached development plan submitted by the Developer and approved by the City Engineer.

The terms of the basic agreement shall apply individually to each phase shown on the attached plan as though each phase were a separate and independent development providing each phase is begun in the sequence indicated on the development plan.

The two (2) year time limit, (indicated in Section VII of the Agreement) for completing the required improvements shall begin for each phase when the Developer sells a lot or an application or a building permit to construct a building within the phase has been received by the City.

The Developer may cease further development after completing any phase and before beginning the next phase and the basic agreement shall terminate in accordance with Section XVI, of the basic agreement for any undeveloped phases of the development originally proposed in the basic agreement.

XV.

This agreement shall bind the parties hereto, their heirs, successors in interest, and lawful assigns.

XVI.

In the event of a breach of Agreement, or should legal action of any kind be taken to enforce the provisions, hereof, the prevailing party shall be entitled to reasonable attorney fees and costs awarded by the Court.

Attest:

CITY OF TWIN FALLS, IDAHO

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Developer WS+V LLC  
Cathy Dalton member

STATE OF IDAHO )  
city/coun )ss.  
County of Twin Falls )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, a Notary Public for Idaho, personally appeared \_\_\_\_\_, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at Twin Falls, Idaho

CORPORATION

STATE OF IDAHO )  
city/coun )ss.  
County of Twin Falls )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, a Notary Public for Idaho, personally appeared \_\_\_\_\_, known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.







Date: Tuesday, September 4, 2012  
To: Honorable Mayor and City Council  
From: Bill Carberry, Airport Manager

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Request: Presentation by Jim O'Donnell, Air Show Director, regarding the 2012 Air Magic Valley Air Show.

Time Estimate: Approximately 15 minutes with additional time for questions.

Background: The Twin Falls community has hosted several air shows since 1996 and the shows have grown very popular and more sophisticated over the years. A very large cast of volunteers, led by Air Show Director, Jim O'Donnell, made this event possible again in 2012. In addition to the large volunteer effort, sponsorships from local businesses and support from local government and public agencies helped make the show a success.

Mr. O'Donnell would like to take the opportunity to address the Council with a brief presentation/discussion on the recent event to include the results of the finances associated with the show.

Approval Process: N/A

Budget Impact: N/A

Regulatory Impact: N/A

Conclusion: Staff recommends the Council listen to the presentation and partake in the discussion with Jim O'Donnell regarding this large community event.

City of Twin Falls  
Air Show 2012  
As of 8-29-12

8/30/2012	Revenues	Expenditures/ Commitments	Revenue/ <Loss>
Sponsorships	\$ 108,120.00		
Vendor fees	\$ 31,073.26		
Ticket sales (net of sales tax)	\$ 156,957.11		
Program sales (net of sales tax)	\$ 7,011.32		
Expenditures to date		\$ (234,368.21)	
<i>Unpaid Commitments to date</i>	<u>\$ -</u>	<u>\$ (25,220.56)</u>	
	<u>\$ 303,161.69</u>	<u>\$ (259,588.77)</u>	<u>\$ 43,572.92</u>
 <i>Pending Sponsorship Revenues:</i>			
<i>Kings- Received by M. Chamberlain</i>	\$ 5,000.00		
<i>Riedesel's</i>	\$ 5,000.00		
 <i>Estimated Pending Commitments:</i>			
		\$ (573.00)	
	<u>\$ -</u>	<u>\$ -</u>	
	<u>\$ 10,000.00</u>	<u>\$ (573.00)</u>	<u>\$ 9,427.00</u>
 <i>Estimated after pending items</i>	 <u>\$ 313,161.69</u>	 <u>\$ (260,161.77)</u>	 <u>\$ 52,999.92</u>

City of Twin Falls				
Revenue & Expenditures-Airshow 2012				
Through August 29, 2012				
8/30/2012		Revenues	Expenditures	Cumulative Balance
<b>Fiscal Year 2010-2011:</b>				
1-Aug-11	Sponsorships	\$ 6,075.00		\$ 6,075.00
1-May-11	Membership - International Council of Airshows		\$ 297.50	\$ 5,777.50
1-Aug-11	Airshow brochures		\$ 448.78	\$ 5,328.72
1-Sep-11	Stamps and brochures		\$ 417.53	\$ 4,911.19
1-Sep-11	Shirts		\$ 440.96	\$ 4,470.23
1-Sep-11	Banner & posters		\$ 214.51	\$ 4,255.72
<b>Fiscal Year 2011-2012:</b>				
1-Nov-11	Sponsorships	\$ 1,150.00		\$ 5,405.72
3-Nov-11	Airline ticket - Jim O'Donnell		\$ 99.37	\$ 5,306.35
3-Nov-11	Internation Council - Reg. airshow convention		\$ 465.00	\$ 4,841.35
3-Nov-11	Lodging		\$ 443.52	\$ 4,397.83
	Advanced funding-approved by City Council	\$ 25,000.00		\$ 29,397.83
9-Nov-11	Brochures, envelopes		\$ 516.86	\$ 28,880.97
30-Nov-11	Per diem - ICAS convention		\$ 120.00	\$ 28,760.97
7-Dec-11	Business cards		\$ 39.95	\$ 28,721.02
1-Jan-12	Sponsorships	\$ 3,000.00		\$ 31,721.02
1-Feb-12	Sponsorships	\$ 4,500.00		\$ 36,221.02
1-Mar-12	Sponsorships	\$ 13,470.00		\$ 49,691.02
1-Apr-12	Sponsorships	\$ 12,750.00		\$ 62,441.02
1-May-12	Sponsorships	\$ 15,600.00		\$ 78,041.02
1-Jun-12	Sponsorships	\$ 23,000.00		\$ 101,041.02
1-Jul-12	Sponsorships	\$ 20,425.00		\$ 121,466.02
1-Aug-12	Sponsorships	\$ 8,150.00		\$ 129,616.02
1-Mar-12	Vendor Fees	\$ 300.00		\$ 129,916.02
1-Apr-12	Vendor Fees	\$ 300.00		\$ 130,216.02
1-Jun-12	Vendor Fees	\$ 9,100.00		\$ 139,316.02
1-Jul-12	Vendor Fees	\$ 19,500.00		\$ 158,816.02
1-Aug-12	Vendor Fees	\$ 1,873.26		\$ 160,689.28
1-Jul-12	<i>Ticket Sales-Net of sales tax</i>	\$ 60,126.10		\$ 220,815.38
1-Aug-12	<i>Ticket Sales-Net of sales tax</i>	\$ 96,831.01		\$ 317,646.39
16-Jul-12	Advanced funding-approved by City Council	\$ 40,000.00		\$ 357,646.39
1-Jul-12	<i>Airshow Program Sales Revenue-Net of sales tax</i>	\$ 7,011.32		\$ 364,657.71
22-Mar-12	Jacque Warda-Deposit (performer)		\$ 1,300.00	\$ 363,357.71
29-Mar-12	Deposit-Dan Buchanan		\$ 1,900.00	\$ 361,457.71
29-Mar-12	Deposit-Kent Pietsch		\$ 1,900.00	\$ 359,557.71
3-May-12	Chamber-Visitor sign sponsor		\$ 200.00	\$ 359,357.71
3-May-12	Deposit for Sounds of the Sky		\$ 300.00	\$ 359,057.71
3-May-12	Blue Angels		\$ 12,000.00	\$ 347,057.71
3-May-12	Madden Media - newspaper insert		\$ 2,805.00	\$ 344,252.71
3-May-12	Golden Knights		\$ 8,000.00	\$ 336,252.71
16-May-12	BMI (music for airshow)		\$ 356.00	\$ 335,896.71
24-May-12	Banners for airshow		\$ 1,855.44	\$ 334,041.27
24-May-12	Advertising for airshow-Lamar Companies		\$ 2,350.00	\$ 331,691.27
24-May-12	Advertising for airshow-Idaho Magazine		\$ 1,050.00	\$ 330,641.27
6-Jun-12	Deposit for airshow-Matt Younkin		\$ 3,000.00	\$ 327,641.27
20-Jun-12	ICAS Membership reimbursement		\$ 325.00	\$ 327,316.27
27-Jun-12	Deposit-David Erickson (performer)		\$ 317.50	\$ 326,998.77
5-Jul-12	Pocatello Airport		\$ 100.00	\$ 326,898.77
12-Jul-12	Sounds of the Sky (M. Berrichoa)		\$ 2,200.00	\$ 324,698.77
12-Jul-12	Warda		\$ 5,700.00	\$ 318,998.77
12-Jul-12	Erickson		\$ 1,270.00	\$ 317,728.77
26-Jul-12	Erickson (Ck #87180 void; reissued-net check		\$ (317.50)	\$ 318,046.27
12-Jul-12	Poll Sound		\$ 13,950.00	\$ 304,096.27
12-Jul-12	Ralph Royce		\$ 2,750.00	\$ 301,346.27
12-Jul-12	Daniel Buchanan		\$ 5,700.00	\$ 295,646.27
12-Jul-12	KP Stunt Productions, Inc.		\$ 7,600.00	\$ 288,046.27
12-Jul-12	Matt Younkin		\$ 7,000.00	\$ 281,046.27
19-Jul-12	Super Dave/Ryan Poe		\$ 500.00	\$ 280,546.27
19-Jul-12	B 25 Static Aircraft Az Wing		\$ 2,500.00	\$ 278,046.27
19-Jul-12	Insurance		\$ 23,898.94	\$ 254,147.33
31-Jul-12	City Advanced Funding		\$ 65,000.00	\$ 189,147.33
9-Aug-12	Canopies		\$ 1,000.00	\$ 188,147.33
9-Aug-12	Bungee cords		\$ 33.92	\$ 188,113.41
9-Aug-12	Coupon book		\$ 125.00	\$ 187,988.41

9-Aug-12	Impact Radio Group		\$ 530.00	\$ 187,458.41
9-Aug-12	Impact Radio Group (\$2 over PO)		\$ 1,470.00	\$ 185,988.41
9-Aug-12	Air show pins		\$ 382.20	\$ 185,606.21
15-Aug-12	Times-News		\$ 663.02	\$ 184,943.19
15-Aug-12	Western Waste		\$ 7,500.00	\$ 177,443.19
15-Aug-12	Journal Broadcast Group		\$ 2,005.00	\$ 175,438.19
15-Aug-12	Coley Brothers (Western Ag Enterprises, Inc.)		\$ 5,500.00	\$ 169,938.19
15-Aug-12	Riverbend Communications		\$ 1,498.00	\$ 168,440.19
15-Aug-12	Events and Adventures Magazine		\$ 185.00	\$ 168,255.19
15-Aug-12	CRHS-Setup		\$ 250.00	\$ 168,005.19
15-Aug-12	Post Register		\$ 1,200.00	\$ 166,805.19
15-Aug-12	Chris Clark		\$ 815.39	\$ 165,989.80
15-Aug-12	Comfort Inn and Suites		\$ 10,241.00	\$ 155,748.80
15-Aug-12	Days Inn		\$ 2,535.00	\$ 153,213.80
15-Aug-12	Halbert, Terry		\$ 239.50	\$ 152,974.30
15-Aug-12	Hampton Inn		\$ 981.00	\$ 151,993.30
15-Aug-12	Boeing Store		\$ 5,500.00	\$ 146,493.30
15-Aug-12	Shilo Inn		\$ 1,530.00	\$ 144,963.30
15-Aug-12	KMVT		\$ 2,605.00	\$ 142,358.30
15-Aug-12	NPG of Idaho, Inc.		\$ 3,490.00	\$ 138,868.30
15-Aug-12	Ridley's (snacks for volunteers)		\$ 2,232.62	\$ 136,635.68
15-Aug-12	Five Fish Press		\$ 630.00	\$ 136,005.68
15-Aug-12	Blip Printers (programs)		\$ 10,500.00	\$ 125,505.68
15-Aug-12	Blip Printers (posters)		\$ 279.18	\$ 125,226.50
15-Aug-12	Reeders		\$ 12,783.58	\$ 112,442.92
15-Aug-12	Quickdraw Embroidery		\$ 1,772.00	\$ 110,670.92
15-Aug-12	Music Magic		\$ 3,278.00	\$ 107,392.92
15-Aug-12	Music Magic		\$ 445.90	\$ 106,947.02
15-Aug-12	Red Lion		\$ 2,025.00	\$ 104,922.02
15-Aug-12	Standard Printing		\$ 22.92	\$ 104,899.10
15-Aug-12	Standard Printing		\$ 75.00	\$ 104,824.10
15-Aug-12	Standard Printing		\$ 300.00	\$ 104,524.10
22-Aug-12	Hilton Gardens		\$ 7,957.00	\$ 96,567.10
22-Aug-12	Idaho Statesman		\$ 2,200.00	\$ 94,367.10
22-Aug-12	Alan Hansten		\$ 182.03	\$ 94,185.07
22-Aug-12	Johnny Carino's		\$ 750.00	\$ 93,435.07
22-Aug-12	Ralph Royce		\$ 250.00	\$ 93,185.07
22-Aug-12	Donnelley Sports		\$ 1,837.50	\$ 91,347.57
22-Aug-12	Road Work Ahead		\$ 787.50	\$ 90,560.07
22-Aug-12	Party Center		\$ 6,154.16	\$ 84,405.91
22-Aug-12	Express Publishing, Inc.		\$ 788.88	\$ 83,617.03
22-Aug-12	Tour Ice		\$ 862.00	\$ 82,755.03
22-Aug-12	Road Work Ahead		\$ 5,442.13	\$ 77,312.90
29-Aug-12	Kiwanis (accounting)		\$ 600.00	\$ 76,712.90
29-Aug-12	Red Horse		\$ 5,656.28	\$ 71,056.62
29-Aug-12	Commemorative Air Force		\$ 1,500.00	\$ 69,556.62
29-Aug-12	Optimist Club		\$ 743.14	\$ 68,813.48
29-Aug-12	Blip		\$ 20.00	\$ 68,793.48
				\$ 68,793.48
			\$ -	\$ 68,793.48
	<i>Pending payments-D&amp;B Supply (signed 7-17-12)</i>		\$ 344.97	\$ 68,448.51
	<i>Pending payments-Smoke Oil (signed 7-23-12)</i>		\$ 12,111.00	\$ 56,337.51
	<i>Pending payments-Times News (signed 7-23-12)</i>		\$ 71.62	\$ 56,265.89
	<i>Pending payments-D&amp;B Supply/Set up supplies (signed 7-26-12)</i>		\$ 317.97	\$ 55,947.92
	<i>Pending payments-King Broadcasting/KTVB/KTFT (signed 7-25-12)</i>		\$ 4,030.00	\$ 51,917.92
	<i>Pending payments-Western States-bussing (signed 7-30-12)</i>		\$ 6,320.00	\$ 45,597.92
	<i>Pending payments-Harveys (ink and paper)(signed 8-30-12)</i>		\$ 100.00	\$ 45,497.92
	<i>Pending payments-The Times News (signed 8-30-12)</i>		\$ 1,925.00	\$ 43,572.92
			\$ -	\$ 43,572.92
			\$ -	\$ 43,572.92
6-Aug-12	<i>Pending Revenues:</i>			\$ 43,572.92
	<i>Sponsorships</i>		\$ -	\$ 43,572.92
	<i>King's (8-30-12 Marv has money in an account)</i>	\$ 5,000.00	\$ -	\$ 48,572.92
	<i>Riedesel's</i>	\$ 5,000.00	\$ -	\$ 53,572.92
			\$ -	\$ 53,572.92
6-Aug-12	<i>Pending payments:</i>		\$ -	\$ 53,572.92
	<i>Donnelley (shirts)</i>		\$ 573.00	\$ 52,999.92
				\$ 52,999.92
				\$ 52,999.92
		\$ 378,161.69	\$ 325,161.77	\$ 52,999.92
	<b>w/o City advanced funding</b>	\$ 313,161.69	\$ 260,161.77	\$ 52,999.92



**Date:** Tuesday, September 4, 2012  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, PE Assistant City Engineer

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**Request:**

Consideration of a request to award the Block 132, Twin Falls Townsite Utility Improvements Package to Walton Inc.

**Time Estimate:**

The staff presentation will take approximately 10 minutes.

**Background:**

The URA has entered into an agreement with Glanbia to improve the infrastructure surrounding their new building located in Block 132 of the Twin Falls Townsite. As part of the planning process, Public Works has determined a need to improve some water lines in the area. The City has contracted with EHM Engineers to do a design for improvements including what is necessary for the URA commitment. In an effort to reduce confusion, a total project was released for bidding for both the City's and URA's responsibilities. There was one bid received which appears to be complete and meet the requirements of the specifications. The bid received and publicly opened August 14, 2012, from Walton Inc., from Heyburn, Idaho in the amount of \$84,854.00, which reasonably matches our engineer's estimate of \$86,782.00.

**Approval Process:**

Approval of this request requires a simple majority (50%+1) of the City Council members present at this meeting.

**Budget Impact:**

The total budget impact of \$84,854.00 will be divided as follows: The City's responsibility would be \$35,077 and the URA would reimburse the City for \$49,777 for the URA's commitments.

**Conclusion:**

Staff recommends that City Council allow the mayor to execute the Contract with the lowest responsive bidder.

**Attachments:**

1. Engineers Recommendation
2. Bid Summary
3. Twin Falls City and URA summary of costs.

August 14, 2012

City of Twin Falls  
P.O. Box 1907  
Twin Falls, Idaho 83303

Attn.: Troy Vitek, P.E.  
Assistant City Engineer

Re.: *2012 Block 132 Twin Falls Townsite Utility Improvements  
(Bid Opening and Summary)*

Dear Sir:

Attached is a summary of the bid opening on August 14, 2012 for the above referenced project. Only one bid was received and opened per the requirements. The responsive bidder was Walton Inc. from Heyburn, Idaho.

Their bid package has been reviewed and appears to be complete. Our recommendation is to award the contract to Walton Inc. for the bid amount of \$84,854.00.

Please feel free to contact me at 734-4888 if you have any questions or need further information.

Sincerely,  
Tim Vawser



EHM Engineers, Inc.

Attachments: Bid Summary  
Bid Package  
Summary of Costs

**EHM Engineers, Inc.**

621 No. College Rd., Ste. 100, Twin Falls, Idaho

**BID SUMMARY**

**PROJECT: 2012 CITY OF TWIN FALLS**

Twin Falls Townsite Utility Improvements

**Bid Opening: August 14, 2012**

Item No	Item Description	Est. Qty.	Unit	ENGINEERS' ESTIMATE		WALTON INC. Heyburn, Idaho	
				Unit Price	Item Total	Unit Price	Item Total
1	Pipe Burst & Replace Sewer	1	LS	\$36,680.00	\$ 36,680.00	\$32,488.00	\$ 32,488.00
2	Remove 6" / Replace 8" Water	440	LF	\$32.00	\$ 14,080.00	\$47.70	\$ 20,988.00
3	10" C-900 Water	134	lf	\$35.00	\$ 4,690.00	\$51.00	\$ 6,834.00
4	6" Water Main	14	LF	\$28.00	\$ 392.00	\$68.00	\$ 952.00
5	6" Fire Line w/ Tee & Gate Valve	2	LF	\$2,500.00	\$ 5,000.00	\$1,700.00	\$ 3,400.00
6	4" Sewer Service	2	EA	\$750.00	\$ 1,500.00	\$620.00	\$ 1,240.00
7	Reinstall Existing Sewer Service	3	EA	\$1,200.00	\$ 3,600.00	\$980.00	\$ 2,940.00
8	10" R.W. Gate Valve	1	EA	\$1,500.00	\$ 1,500.00	\$2,300.00	\$ 2,300.00
9	8" R.W. Gate Valve	3	EA	\$1,200.00	\$ 3,600.00	\$1,288.00	\$ 3,864.00
10	6" R.W. Gate Valve	2	EA	\$1,000.00	\$ 2,000.00	\$1,022.00	\$ 2,044.00
11	8"x10"x6" Tee	1	EA	\$1,750.00	\$ 1,750.00	\$1,150.00	\$ 1,150.00
12	8"x8"x6" Tee	1	EA	\$1,500.00	\$ 1,500.00	\$650.00	\$ 650.00
13	6"-8" Reducer	1	EA	\$1,550.00	\$ 1,550.00	\$120.00	\$ 120.00
14	Water Meter Replacement	3	EA	\$1,250.00	\$ 3,750.00	\$575.00	\$ 1,725.00
15	Misc. Water Elbows	1	LS	\$1,250.00	\$ 1,250.00	\$1,152.00	\$ 1,152.00
16	Hansen Street Patchback	1	LS	\$2,500.00	\$ 2,500.00	\$2,095.00	\$ 2,095.00
17	3/4" Type 1 Aggregate	24	CY	\$60.00	\$ 1,440.00	\$38.00	\$ 912.00
<b>Grand Total</b>					<b>\$ 86,782.00</b>		<b>\$ 84,854.00</b>

## EHM Engineer's Bid Summary

City of Twin Falls and URA  
 Block 132, Townsite Utility Impr.  
 Summary of Costs

Item No.	Description	Bid Quantity	Unit	Unit Price	Item Cost
<b>URA</b>					
1	8" Sewer Line Pipe Burst	1	LS	\$32,488	\$32,488
3	10" C-900 Water Main	134	LF	\$51	\$6,834
5	6" Fire Line	2	EA	\$1,700	\$3,400
6	4" Sewer Service	2	EA	\$620	\$1,240
7	Sewer Service Reinstallation	3	EA	\$980	\$2,940
8	10" Gate Valve	1	EA	\$2,300	\$2,300
11	8"x10"x6" Tee	0.5	EA	\$1,150	\$575
<b>Total URA Estimated Costs</b>					<b>\$49,777</b>
<b>COTF</b>					
2	8" C-900 Water Main	440	LF	\$48	\$20,988
4	6" C-900 Water Main	14	LF	\$68	\$952
9	8" Gate Valve	3	EA	\$1,288	\$3,864
10	6" Gate Valve	2	EA	\$1,022	\$2,044
11	8"x10"x6" Tee	0.5	EA	\$1,150	\$575
12	8"x8"x6" Tee	1	EA	\$650	\$650
13	6"x8" Reducer	1	EA	\$120	\$120
14	Water Meter Replacement	3	EA	\$575	\$1,725
15	Misc Water Elbows	1	LS	\$1,152	\$1,152
16	Hansen Street Patchpack	1	LS	\$2,095	\$2,095
17	3/4" Type 1 Aggregate	24	CY	\$38	\$912
<b>Total COTF Estimated Costs</b>					<b>\$35,077</b>
<b>Total Contract Amount</b>					<b>\$84,854</b>



**Date:** Tuesday, September 4, 2012  
**To:** Honorable Mayor and City Council  
**From:** Mitch Humble, Community Development Director

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**Request:**

Discussion regarding the status of various amendments to Title 10 of the City Code.

**Time Estimate:**

The presentation will take approximately 10 minutes. Time will be needed for discussion and questions.

**Background:**

The City adopted a new Comprehensive Plan in early 2009. The Plan contained several recommended changes to the City's zoning ordinance, City Code Title 10. In addition, staff, the Planning & Zoning Commission, the City Council, and local developers have all identified various zoning Code sections that are inadequate in some way and need to be amended. Soon after the Comprehensive Plan was adopted, staff and the Council initiated several zoning amendments based on the Plan recommendations and identified Code weaknesses. Other Code amendments have been initiated individually as a need was identified since the Council authorized the group of amendments.

Since the Comprehensive Plan update began, the City has completed 19 zoning Code amendments. Some of those have been small adjustments that were completed in just a couple of months, like allowing off-site automobile sales to include RVs or allowing a deferral for development requirements in cases of exceptional hardship. Others have been large amendments that took a year or more to complete, like the creation of impact fees, the new "Residential Business" zoning district, or the new sign code.

Planning & Zoning staff still have several amendments to complete from the group authorization and the various individual authorizations since then. Below is a list of Title 10 amendments that have been authorized by the Council, either in the group or individually after that. Also provided is a brief status for each one. Some have hearings under way, while others have not yet begun and are still an upcoming project. They are listed in no particular order.

- Xeriscaping – review landscape requirements to determine if the Code should be amended to support, encourage, or require xeriscape landscaping.
  - on the list, but not yet started
- Gateway Arterial Landscaping – review the gateway arterial landscaping requirements. Some developers had suggested that they are too restrictive for in-fill or redevelopment projects.
  - on the list, but not yet started
- Urban Village/Urban Infill – the Comp Plan contains this future land use designation, but there is no zoning district that matches it. Create a mixed-use development zoning district.
  - on the list, but not yet started
- Open Space Residential/Cluster Development – the Comp Plan encourages alternate housing design through open space or clustering. Create a Code section that allows/encourages alternate housing design.
  - on the list, but not yet started
- Neighborhood Center Development – the Comp Plan recommends that we review and possibly amend our Neighborhood Center Code content.
  - on the list, but not yet started

- Office District – review and possibly create a full Office zoning district rather than the current overlay.
  - on the list, but not yet started
- New Residential District(s) – review and possibly create residential zoning districts for single family between R-1 and R-2, duplex, and fourplex.
  - on the list, but not yet started
- Downtown Zoning District(s) – the Comp Plan suggests that we review and possibly amend the Code regarding our downtown to create a mixed use district, a downtown residential district, and maybe downtown architectural requirements.
  - The Historic Preservation Commission recently completed design guidelines for the Warehouse Historic Overlay District. Compliance with those guidelines is required when developing or redeveloping in the District.
- Land Uses – our permitted use regulations are extremely dated. They need to be reviewed and updated. Consider creating several conditional uses and reduce the number of special uses. Create definitions for all uses. Reorganize the structure of the use regulations into a matrix that is easier to understand and cross reference.
  - Staff has started working on this amendment. It is a large amendment that will require significant time to complete. It will also likely involve a Council subcommittee.
- Planned Unit Developments – our PUD process is complicated and difficult to understand. We need to review and possibly amend it to stream line the process, but also to make it clearer.
  - Staff has started a draft of this amendment and has worked with several developers to get input. Some significant complications have been identified that will need to be overcome if we are to proceed with it.
- Building Heights – following a recent request for additional height, the Council directed staff to begin working on an amendment regarding increasing maximum building heights.
  - on the list, but not yet started
- Parking Lot Sales – due to concerns expressed by a local small businessman, the council recently directed staff to prepare an amendment that would create some kind of process to allow limited parking lot sale events.
  - This amounted to a very simple to draft proposal. Staff has completed it and discussed the draft with Councilman Hall. It was Councilman Hall who was approached by the local businessman. This draft is completed and is now being scheduled for public hearings.

In addition to the potential amendments discussed above, some other potential amendment topics have been discussed with individual Council members. The full Council has not yet discussed or initiated zoning amendments for these topics. These topics include possible revisions to parking standards for various uses, amendments to the sign code to close loop holes, sign code amendment regarding sponsor signs, and greater allowances for community gardens. The Council may want to discuss these topics and initiate zoning cases as desired.

In recent discussions regarding the downtown parking amendments, the Council initiated an amendment to City Code regarding downtown parking. While not included in Title 10, this amendment is being prepared by P&Z staff. It is close to being complete and will be presented to the Council for consideration in the very near future, in time for an October first implementation.

Also during the parking conversation, I told the Council about some internal changes to the P&Z staff and structure that included the creation of a Code Enforcement division in the department. That division is now responsible for parking enforcement, but also all nuisance and zoning enforcement. One side benefit of that change is that it freed up a significant amount of time from one of the City Planners. Amber Reeder was tasked with zoning Code enforcement. She spent more than half her time in those activities. Amber does not work for the City any longer. We have had a vacant position now for a few months. However, we have hired a new planner to replace Amber.

Jonathan Spendlove will begin working for us on September 6<sup>th</sup>. Jonathan has some experience in his former positions with drafting code amendments. When he gets here, he will also not be burdened with zoning Code enforcement as Amber was. We anticipate being able to address more of these amendments and more quickly than we had been able to address them in the past.

Finally, some of the amendments on the list are quite significant. They should involve Council subcommittees in their review, evaluation, and creation. I would also like to involve members of the Planning & Zoning Commission in these subcommittees. I would like to discuss the idea of Code amendment subcommittees with the Council and get some feedback tonight.

**Approval Process:**

No action is necessary as this is a discussion item.

**Budget Impact:**

There is no budget impact associated with this item.

**Regulatory Impact:**

There is no regulatory impact associated with this item.

**Conclusion:**

Staff recommends that the Council discuss the status of the various Code amendments and provide feedback or direction to staff regarding upcoming Code amendments.

**Attachments:**

None